

## R E M A R K S

Claims 7, 8 and 11-16 currently remain in the application. Claims 1-6 have been withdrawn, claims 9 and 10 have been cancelled and claims 7, 8, 11, 12, 15 and 16 are herein amended.

Regarding the matter of Paragraphs 2-3 of the Official Letter, applicant's intention by using the expression "a vegetable-fruit product" initially was to mean what one would ordinarily describe as "a product obtained by processing fruits and/or vegetables." Since the use of expression "and/or" is usually frowned upon if used in the claims section of a patent application, an expression in Markush form is herein inserted in order to explain clearly what is intended by this expression. This is believed to obviate the Examiner's rejection under 35 U.S.C. 112.

Claims 7-16 were rejected under 35 U.S.C. 103 over Japan 52-136942 taken together with Bradley 081 or 148. It is to be noted that independent claim 7 is herein amended to incorporate the limitations of claim 9, that is, the "vegetable and/or fruit product" that is to be processed according to this invention is now described as including a solid component such as seeds, epidermis and sarcocarp.

Japan 52-136942 was cited for disclosing, as explained by the Examiner, a method of concentrating a vegetable, a fruit juice or a mixture thereof (herein referred to as "a vegetable and/or fruit product" for convenience) by reverse osmosis by using a single-pass process with a concentration unit having a plurality of tubular membrane modules connected in series. However, this unit is of the type having a plunger pump connected on the inlet side and a pressure control valve on the outlet side. In other words, this is exactly the kind discussed in the Background section of the specification of the instant application as a prior art concentration unit. Results of using a unit of this prior art type are shown as Comparison Examples 1-3, as opposed to those in Test Examples 1-3, respectively. In other words, the solid components cannot be left in their original forms if such a prior art unit is used.

Bradley 081 in column 3 at lines 13-16 and Bradley 148 in column 3 at lines 6-10 disclose the use of a concentration unit having screw conveyor-type pumps as input and output pumps and the pumps of this type may be thought to include the "single-axis eccentric screw pump" mentioned in claim 7 of the instant application. However, Bradley's units are

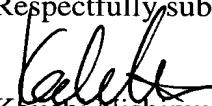
characterized as using membranes with hollow fibers (of Nylon) for the reverse osmosis (column 1 at lines 68-72 of Bradley 081 and column 2 at lines 32-37 of Bradley 148). Membranes for reverse osmosis of this type usually have an inner diameter of much less than 100µm and a modules are formed with tens of thousands of such hollow fibers tied together, one side of the module on the inlet side and the other side on the outlet side, such that the liquid to be processed is supplied into the fibers from the inlet side. Membranes of this kind cannot perform reverse osmosis on a vegetable and/or fruit product containing solid components.

This is not surprising because none of the cited references is adapted to perform reverse osmosis on a product containing solid components. Japan 52-136942 relates only to reverse osmosis of a juice of a vegetable and/or fruit product, and Bradley 081 or 148 relate to the processing and/or cleaning of a liquid, using a filter separately for removing solid components.

It is to be reminded that there is no description or even a hinting of using the screw conveyor-type pumps of Bradley 081 or 148 in the unit of Japan 52-136942 because there is nothing to be gained by such a substitution for the purposes of stated use.

The title of the invention and portions of the specification have been amended because an election has been made in response to the Examiner's earlier imposed requirement for restriction. It is therefore believed that the instant Amendment is completely responsive to the Office Action and hence that the application is now in condition for allowance.

Respectfully submitted,



Kenichi Nishimura  
Registration No. 29,093

March 24, 2005  
BEYER WEAVER & THOMAS, LLP  
500 12th Street, Suite 200  
Oakland, California 94607  
Telephone: (510) 663-1100  
Telefax: (510) 663-0920